

**UNITED STATES DISTRICT COURT**

*District of Arizona*

*In the Matter of the Search of:*

**SUBJECT PARCEL #2:** One (1) USPS Priority Mail parcel bearing USPS tracking number 9505 5126 7776 2101 3785 21, addressed to "Tom Mounsey, 9761 Nature Valley Drive, Brighton, Mi 48114" with the return address of "Jose Gutierrez, P.O. Box 8801, San Luis, AZ 85349." It is an USPS Priority Mail Large Flat Rate box measuring approximately 12.25" x 12" x 6"; weighing approximately 9 lbs. 2.2 ounces; postmarked April 11, 2022; and bearing \$21.50 in postage.

**SEARCH WARRANT**

Case Number: *22-5152MB*

TO: MICHAEL KAMINSKI and any Authorized Officer of the United States  
Affidavit having been made before me by Affiant, Michael Kaminski, UNITED STATES POSTAL INSPECTOR, on the premises known as:

**SUBJECT PARCEL #2:** One (1) USPS Priority Mail parcel bearing USPS tracking number 9505 5126 7776 2101 3785 21, addressed to "Tom Mounsey, 9761 Nature Valley Drive, Brighton, Mi 48114" with the return address of "Jose Gutierrez, P.O. Box 8801, San Luis, AZ 85349." It is an USPS Priority Mail Large Flat Rate box measuring approximately 12.25" x 12" x 6"; weighing approximately 9 lbs. 2.2 ounces; postmarked April 11, 2022; and bearing \$21.50 in postage,

in the District of Arizona there is now concealed certain property, namely, CONTROLLED SUBSTANCES AND/OR U.S. CURRENCY OR DOCUMENTS RELATING TO THE DISTRIBUTION OF CONTROLLED SUBSTANCES THROUGH THE UNITED STATES MAIL, IN VIOLATION OF TITLE 18, UNITED STATES CODE, SECTION 1956(h), and/or TITLE 21, UNITED STATES CODE, SECTIONS 841(a)(1), 843(b) and 846, AS EVIDENCE OF SAID VIOLATIONS.

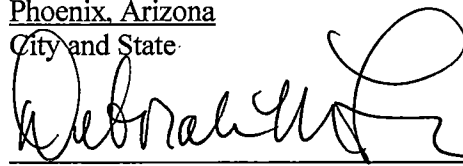
I am satisfied that the Affidavit establishes probable cause to believe that the property so described is now concealed on the premises above-described and establishes grounds for the issuance of this warrant.

YOU ARE HEREBY COMMANDED to search on or before *4/27/22* (Date)  
(not to exceed 14 days) the premises named above for the property specified, serving this warrant and making the search in the daytime (6:00 a.m. to 10:00 p.m.), if the property be found there to seize same, leaving a copy of this warrant and receipt for the property taken, and to prepare a written inventory of the property seized and promptly return this warrant to any United States Magistrate Judge, District of Arizona as required by law.

*Apr-13, 2022 @ 5:51 PM* at  
Date and Time Issued

Phoenix, Arizona  
City and State

HONORABLE DEBORAH M. FINE  
UNITED STATES MAGISTRATE JUDGE  
Name and Title of Judicial Officer

  
Signature of Judicial Officer

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**UNITED STATES DISTRICT COURT**

*District of Arizona*

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*In the Matter of the Search of:*

**SUBJECT PARCEL #2:** One (1) USPS Priority Mail parcel bearing USPS tracking number 9505 5126 7776 2101 3785 21, addressed to "Tom Mounsey, 9761 Nature Valley Drive, Brighton, Mi 48114" with the return address of "Jose Gutierrez, P.O. Box 8801, San Luis, AZ 85349." It is an USPS Priority Mail Large Flat Rate box measuring approximately 12.25" x 12" x 6"; weighing approximately 9 lbs. 2.2 ounces; postmarked April 11, 2022; and bearing \$21.50 in postage.

**APPLICATION AND AFFIDAVIT  
FOR SEARCH WARRANT**

Case Number: *22-5152MS*

I, MICHAEL KAMINSKI, being duly sworn, depose and state as follows:

I am a UNITED STATES POSTAL INSPECTOR and have reason to believe that on the premises known as:

**SUBJECT PARCEL #2:** One (1) USPS Priority Mail parcel bearing USPS tracking number 9505 5126 7776 2101 3785 21, addressed to "Tom Mounsey, 9761 Nature Valley Drive, Brighton, Mi 48114" with the return address of "Jose Gutierrez, P.O. Box 8801, San Luis, AZ 85349." It is an USPS Priority Mail Large Flat Rate box measuring approximately 12.25" x 12" x 6"; weighing approximately 9 lbs. 2.2 ounces; postmarked April 11, 2022; and bearing \$21.50 in postage,

in the District of Arizona there is now concealed certain property, namely, CONTROLLED SUBSTANCES AND/OR U.S. CURRENCY OR DOCUMENTS RELATING TO THE DISTRIBUTION OF CONTROLLED SUBSTANCES THROUGH THE UNITED STATES MAIL, which is CONTRABAND, THE FRUITS OF CRIME, OR THINGS OTHERWISE CRIMINALLY POSSESSED,


in violation of Title 18, United States Code, Section 1956(h) and/or Title 21, United States Code, Sections 841(a)(1), 843(b) and 846. The facts to support the issuance of a Search Warrant are as follows:

SEE ATTACHED AFFIDAVIT OF MICHAEL KAMINSKI, WHICH IS MADE A PART HEREOF.

Authorized by AUSA Ryan Goldstein

RYAN

GOLDSTEIN

 Digitally signed by RYAN  
GOLDSTEIN  
Date: 2022.04.13 13:39:38  
-07'00'

Sworn to me telephonically, and subscribed  
electronically

*Apr. 13, 2022 @ 5:51 pm*  
Date \_\_\_\_\_ at \_\_\_\_\_

HONORABLE DEBORAH M. FINE  
UNITED STATES MAGISTRATE JUDGE  
Name and Title of Judicial Officer

  
Signature of Affiant – MICHAEL KAMINSKI

Phoenix, Arizona  
City and State

  
Signature of Judicial Officer

**AFFIDAVIT AND STATEMENT OF PROBABLE CAUSE**

I, Michael Kaminski, being duly sworn, hereby depose and state as follows:

1. Your Affiant is an United States Postal Inspector and has been so employed since April of 2005. Your Affiant has completed a twelve-week basic training course in Potomac, Maryland, which included training in the investigation of narcotics trafficking via the United States (U.S.) Mail. Your Affiant is currently assigned to the Phoenix Division Contraband Investigation and Interdiction Team (CI2) in Arizona, which is responsible for investigating narcotic violations involving the U.S. Mail. Part of your Affiant's training as a Postal Inspector included narcotic investigative techniques and the training in the identification and detection of controlled substances being transported in the U.S. Mail.

2. Your Affiant has assisted on numerous narcotics investigations of individuals for violations of Title 18, United States Code, Section 1956(h) (Conspiracy to Commit Money Laundering), Title 21, United States Code, Sections 841(a)(1) (Possession with Intent to Distribute a Controlled Substance), 843(b) (Use of a Communication Facility to Facilitate the Distribution of a Controlled Substance), and 846 (Conspiracy to Possess with Intent to Distribute a Controlled Substance).

3. The facts and information contained in this affidavit are based on your Affiant's personal knowledge, as well as that of other Postal Inspectors and law enforcement officers involved in this investigation as described below. However, because the purpose of this affidavit is merely to establish probable cause, it does not reflect all the knowledge concerning the matter.

4. This Affidavit is made in support of an application for a search warrant for three (3) United States Postal Service (USPS) Priority Mail Parcels (hereafter referred to as the "SUBJECT PARCEL #1", "SUBJECT PARCEL #2" and "SUBJECT PARCEL #3). As

described in greater detail below, based on a positive alert from a trained narcotics-detecting canine, your Affiant believes that **SUBJECT PARCEL #1**, **SUBJECT PARCEL #2** and **SUBJECT PARCEL #3** contain controlled substances or proceeds from the sale of controlled substances.

5. **SUBJECT PARCEL #1:** One (1) USPS Priority Mail parcel bearing USPS tracking number 9505 5126 7776 2101 3785 45, addressed to “Tim Mounsey, 9761 Nature Valley Drive, Brighton, Mi 48114” with the return address of “Jose Gutierrez, P.O. Box 8801, San Luis, AZ 85349.” It is an USPS Priority Mail Large Flat Rate box measuring approximately 12.25” x 12” x 6”; weighing approximately 7 lbs. 1 ounce; postmarked April 11, 2022; and bearing \$21.50 in postage.
6. **SUBJECT PARCEL #2:** One (1) USPS Priority Mail parcel bearing USPS tracking number 9505 5126 7776 2101 3785 21, addressed to “Tom Mounsey, 9761 Nature Valley Drive, Brighton, Mi 48114” with the return address of “Jose Gutierrez, P.O. Box 8801, San Luis, AZ 85349.” It is an USPS Priority Mail Large Flat Rate box measuring approximately 12.25” x 12” x 6”; weighing approximately 9 lbs. 2.2 ounces; postmarked April 11, 2022; and bearing \$21.50 in postage.
7. **SUBJECT PARCEL #3:** One (1) USPS Priority Mail parcel bearing USPS tracking number 9505 5126 7776 2101 3785 38, addressed to “Tim Mounsey, 9761 Nature Valley Drive, Brighton, Mi 48114” with the return address of “Jose Gutierrez, P.O. Box 8801, San Luis, AZ 85349.” It is an USPS Priority Mail Large Flat Rate box measuring approximately 12.25” x 12” x 6”; weighing approximately 9 lbs. 2.2 ounces; postmarked April 11, 2022; and bearing \$21.50 in postage.

### **BACKGROUND**

8. From your Affiant's training and experience, as well as the training and experience of other Postal Inspectors on the CI2 Team, your Affiant is aware the USPS mail system is frequently used to transport controlled substances and/or proceeds from the sale of controlled substances to areas throughout the U.S. Your Affiant also knows that drug traffickers prefer mail/delivery services such as Express Mail and Priority Mail because of their reliability and the ability to track the article's progress to the intended delivery point. When a drug trafficker learns that a mailed article has not arrived as scheduled, he/she becomes suspicious of any delayed attempt to deliver the item.

9. Based on your Affiant's training and experience regarding Express Mail operations, your Affiant is aware the Express Mail service was designed primarily to fit the needs of businesses by providing overnight delivery for time-sensitive materials. Moreover, based on your Affiant's training and experience, your Affiant is aware that business mailings often: (a) contain typewritten labels; (b) are addressed to and/or from a business; (c) are contained within flat cardboard mailers; and (d) weigh less than eight ounces. In addition, corporate charge accounts were developed by the USPS to avoid time-consuming cash payments by businesses for business mailings.

10. Based on your Affiant's training and experience, your Affiant is aware that the Priority Mail service was created as a less expensive alternative to Express Mail overnight delivery, but designed to provide quicker, more reliable service than standard First-Class Mail. Whereas a customer mailing an article via Express Mail expects next-day service, a customer who mails an article via Priority Mail can expect two to three-day delivery service. The USPS also provides a tracking service through a USPS tracking number, which allows the customer to

track the parcel and confirm delivery.

11. Based on your Affiant's training and experience regarding Priority Mail operations, your Affiant is aware the majority of Priority Mail mailings are business mailings. Businesses have found that Priority Mail is a significantly less expensive method of mailing than Express Mail, particularly when next-day service is not a requirement. Your Affiant also knows, similar to Express Mail, Priority Mail business mailings tend to be smaller, lighter mailings, and on average, weigh less than two pounds. Examples of the typical types of business mailings conducted via Priority Mail include books, clothing, pharmaceuticals, and consumer goods purchased from online retailers.

12. From your Affiant's training, personal experience, and the collective experiences related to your Affiant by other Postal Inspectors on the CI2 Team who specialize in investigations relating to the mailing of controlled substances and proceeds from the sale of controlled substances, your Affiant is aware the State of Arizona is a source location for controlled substances based on its close proximity to the border between the United States and Mexico. As such, controlled substances are frequently transported from Arizona via USPS, and proceeds from the sale of controlled substances are frequently returned to Arizona via USPS.

13. Based on your Affiant's training and experience regarding the use of Express Mail and Priority Mail to transport controlled substances and/or the proceeds from the sale of controlled substances, your Affiant is aware these parcels usually contain some or all of the following characteristics:

- a. The parcel contains a label with handwritten address information and is addressed from one individual to another individual;

- b. The handwritten label on the parcel does not contain a business account number, thereby indicating that the sender likely paid cash;
- c. The parcel is heavier than the typical mailing, often weighing more than eight ounces for Express Mail, and two pounds for Priority Mail; and
- d. The parcel either: (a) was destined for an area known to be a frequent destination point for controlled substances, having been mailed from an area known to be a source area for controlled substances; or (b) originated from an area known to be a frequent origination point for proceeds from the sale of controlled substances, having been mailed to an area known to be a destination area for proceeds from the sale of controlled substances.

14. Express Mail and Priority Mail parcels found to meet any or all of the characteristics described above are often further scrutinized by Postal Inspectors through address verifications and an examination by a trained narcotics detecting canine.

**RELEVANT FACTS PERTAINING TO THE SUBJECT PARCEL**

15. On April 11, 2022, while conducting postal database checks of parcels mailed from Arizona destined to Michigan, the United States Postal Inspection Service (USPIS) identified three suspicious parcels (**SUBJECT PARCEL #1**, **SUBJECT PARCEL #2**, and **SUBJECT PARCEL #3**) that were mailed from the San Luis Post Office located at 874 South Main Street, San Luis, Arizona, 85349, and mailed to an address in Brighton, Michigan.

16. While reviewing video surveillance at the San Luis Post Office of the mailing of the three **SUBJECT PARCELS**, USPIS investigators observed the same unidentified Hispanic male mailed all three **SUBJECT PARCELS** in one transaction.

17. Due to the fact that three **SUBJECT PARCELS** were mailed later in the day, the

three **SUBJECT PARCELS** missed the dispatch time for the parcels to leave the San Luis Post Office on April 11, 2022, and were schedule to be dispatched on April 12, 2022.

18. On April 12, 2022, your Affiant arrived at the San Luis Post Office and retrieved the three **SUBJECT PARCELS** for further examination.

19. Upon physical examination of **SUBJECT PARCEL #1**, the parcel met some of the characteristics listed in Paragraph 13 above. First, **SUBJECT PARCEL #1** was addressed from one individual to another individual, weighed over seven pounds (which is heavier than the typical Priority Mail Parcel), and bore handwritten address information. **SUBJECT PARCEL #1** was mailed from an address in Arizona to an address in Michigan. Based on your Affiant's training, experience, and the collective experiences related to me by other Postal Inspectors on the CI2 Team who specialize in investigations relating to the mailing of controlled substances and proceeds from the sale of controlled substances, your Affiant is aware that the State of Arizona is frequently a source location for controlled substances that are mailed to the State of Michigan, and that proceeds from the sale of controlled substances are frequently returned to Arizona from Michigan via USPS.

20. Upon physical examination of **SUBJECT PARCEL #2**, the parcel met some of the characteristics listed in Paragraph 13 above. First, **SUBJECT PARCEL #2** was addressed from one individual to another individual, weighed over nine pounds (which is heavier than the typical Priority Mail Parcel), and bore handwritten address information. **SUBJECT PARCEL #2** was mailed from an address in Arizona to an address in Michigan. Based on your Affiant's training, experience, and the collective experiences related to me by other Postal Inspectors on the CI2 Team who specialize in investigations relating to the mailing of controlled substances and proceeds from the sale of controlled substances, your Affiant is aware that the State of



Arizona is frequently a source location for controlled substances that are mailed to the State of Michigan, and that proceeds from the sale of controlled substances are frequently returned to Arizona from Michigan via USPS.

21. Upon physical examination of **SUBJECT PARCEL #3**, the parcel met some of the characteristics listed in Paragraph 13 above. First, **SUBJECT PARCEL #3** was addressed from one individual to another individual, weighed over nine pounds (which is heavier than the typical Priority Mail Parcel), and bore handwritten address information. **SUBJECT PARCEL #3** was mailed from an address in Arizona to an address in Michigan. Based on your Affiant's training, experience, and the collective experiences related to me by other Postal Inspectors on the CI2 Team who specialize in investigations relating to the mailing of controlled substances and proceeds from the sale of controlled substances, your Affiant is aware that the State of Arizona is frequently a source location for controlled substances that are mailed to the State of Michigan, and that proceeds from the sale of controlled substances are frequently returned to Arizona from Michigan via USPS.

22. Your Affiant conducted a database query regarding the names and addresses for the three **SUBJECT PARCELS** in Consolidated Lead Evaluation and Reporting (CLEAR), a law enforcement database accessible to your Affiant. CLEAR associates addresses and telephone numbers to individuals and business entities. The CLEAR database is created from credit reports, law enforcement reports, utility records, and other public records.

23. Through the CLEAR database query, your Affiant learned that the delivery address "9761 Nature Valley Drive, Brighton, Mi, 48114" written on **SUBJECT PARCEL #1** is an existing, deliverable address. The purported recipient, "Tim Mounsey" associates with delivery address.

24. The same database query also revealed that the return address for **SUBJECT PARCEL #1**, “P.O Box 8801, San Luis, AZ 85349,” is an existing address in San Luis, Arizona, and the name “Jose Gutierrez,” the purported sender, does associate with the address. Your Affiant also retrieved the Post Office Box (PO Box) application for a list of individuals who received mail at “PO Box 8801,” and learned the name “Jose Gutierrez” is the only individual listed on the P.O. Box application who receives mail at that address.

25. Through the CLEAR database query of **SUBJECT PARCEL #2**, your Affiant learned the destination address of “9761 Nature Valley Drive” is an existing, deliverable address and the purported recipient, “Tom Mounsey,” is not associated with the address on **SUBJECT PARCEL #2**. The correct name on the CLEAR report is “Timothy Mounsey” who is associated with the delivery address.

26. The same database query also revealed that the return address for **SUBJECT PARCEL #2**, “P.O Box 8801, San Luis, AZ 85349,” is an existing address in San Luis, Arizona, and the name “Jose Gutierrez,” the purported sender, is associated with this address.

27. Through the CLEAR database query of **SUBJECT PARCEL #3**, your Affiant learned the destination address of “9761 Nature Valley Drive” is an existing, deliverable address and the purported recipient, “Tim Mounsey,” is associated with this address.

28. The same database query also revealed that the return address for **SUBJECT PARCEL #3**, “P.O Box 8801, San Luis, AZ 85349,” is an existing address in San Luis, Arizona, and the name “Jose Gutierrez,” the purported sender, is associated with the address.

29. Postal Investigators reviewed outside video surveillance of the parking lot of San Luis Post Office and identified the vehicle and vehicle’s license plate the unknown Hispanic male, who mailed the three **SUBJECT PARCELS**, was observed driving. The vehicle is

currently registered to a “Pena Viera Rogelio” with a current mailing address of P.O Box 4969. Postal Investigators obtained the Arizona Driver’s license photo of “Pena Viera Rogelio” and the driver’s license photo matched the video surveillance photo from inside the San Luis Post Office of the mailer who mailed the three **SUBJECT PARCELS**.

30. Your Affiant also obtained the Arizona Driver’s license photo of “Jose Gutierrez,” the purported sender of the three **SUBJECT PARCELS** and the register owner of “P.O. Box 8801,” the return address used on the three **SUBJECT PARCELS**, and the Arizona Driver’s license photo of “Jose Gutierrez” did not match the video surveillance photo the mailer of the three **SUBJECT PARCELS**.

31. From your Affiant’s training, personal experience, and the collective experiences related to your Affiant by other Postal Inspectors on the CI2 Team who specialize in investigations relating to the mailing of controlled substances, it is common for drug traffickers to use names not associated with an address or fictitious names and addresses to evade detection by law enforcement.

#### **CANINE EXAMINATION OF THE SUBJECT PARCEL**

32. On April 12, 2022, Mesa Police Department (“MPD”) Detective/Canine Handler Dawn Haynes and her drug-detecting canine, “Nicole” inspected **SUBJECT PARCEL #1**, **SUBJECT PARCEL #2**, and **SUBJECT PARCEL #3**. Detective Haynes advised that “Nicole” gave a positive alert to **SUBJECT PARCEL #1** at approximately 11:26AM, **SUBJECT PARCEL #2** at approximately 11:24AM, and **SUBJECT PARCEL #3** at approximately 11:25AM by lying down next to the individual parcels. Prior to “Nicole’s” inspection, the subject parcels were separated and placed in large room at the San Luis Post Office filled with other non-related parcels.

33. Detective Haynes described that, when “Nicole” lays down next to an item as she did, “Nicole” is exhibiting a “passive” alert that she has been trained to give. Detective Haynes stated the “passive” alert given by “Nicole” indicates the presence of narcotics or a controlled substance, or currency, notes, documents, or evidence bearing the presence of the odors of heroin, cocaine, marijuana, and/or methamphetamine, within **SUBJECT PARCEL #1**, **SUBJECT PARCEL #2**, and **SUBJECT PARCEL #3**.

34. Detective Haynes advised that she is a MPD Detective currently assigned to the handling and care of MPD canine “Nicole.” Detective Haynes has been a police officer with MPD for 21 years. “Nicole” is a five-year-old Belgian Malinois, who has been working drugs/narcotics detection for MPD since February 2020. “Nicole” and Detective Haynes currently hold a National Certification in drugs/narcotics detection by the National Police Canine Association (NPCA). This is a yearly certification and they were last certified in March 2022. Detective Haynes’ certifications also include the completion of a canine certification course provided by Alpha canine training facility. “Nicole” is trained to detect the odors of cocaine, marijuana, heroin, methamphetamine, and their derivatives. Detective Haynes advised that, since “Nicole” began working at MPD, “Nicole” has had over 100 successful finds (both training finds and finds that have contributed to active investigations) of controlled substances and/or the proceeds from the sales of controlled substances.

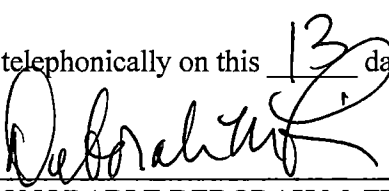
### **CONCLUSION**

35. Based on these facts, there is probable cause to believe that **SUBJECT PARCEL #1** described in Paragraph 5, **SUBJECT PARCEL #2** described in Paragraph 6, and **SUBJECT PARCEL #3** described in paragraph 7, contain controlled substances or proceeds from the sale of controlled substances, constituting evidence of violations of Title 18, United States Code,

Section 1956(h) (Conspiracy to Commit Money Laundering), and/or Title 21, United States Code, Sections 841(a)(1) (Possession with Intent to Distribute a Controlled Substance), 843(b) (Use of a Communication Facility to Facilitate the Distribution of a Controlled Substance) and 846 (Conspiracy to Distribute a Controlled Substance).



Michael Kaminski  
United States Postal Inspector

Subscribed electronically and sworn to telephonically on this 13 day of April, 2022.  5:51 pm

HONORABLE DEBORAH M. FINE  
UNITED STATES MAGISTRATE JUDGE